

REMARKS

Upon entry of the instant amendment, claim 9 will have been amended, and claims 1, 4 – 8, and 12 – 14 will have been canceled without prejudice or disclaimer. Moreover, Applicants will have expressly reserved the right to refile the subject matter of these canceled claims in one or more continuation applications. Accordingly, claims 9 – 11, and 15 – 18 currently remain pending in the application. By the present amendment and remarks, Applicant submits that the rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

Acknowledgement of Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 9 – 11 and 15 – 18 contain allowable subject matter and would be allowable if presented in independent forms that include all the features of their respective base claims and any intervening claims. Accordingly, by the present amendment, claim 9 has been presented in independent and allowable form.

Moreover, as claims 10, 11, and 15 – 18 depend from now allowable independent claim 9, these claims, too, should be indicated as allowable.

Amendment is Proper for Entry

Applicants note that, as the instant amendment does not raise any question of new matter nor any new issues for consideration by the Examiner, entry of the instant amendment is proper. In particular, as noted above, by the present amendment, claims 9

– 11 and 15 – 18, which were identified as containing allowable subject matter by the Examiner in the Final Office Action, have been presented in allowable form, and rejected claims 1, 4 – 8, and 12 – 14 have been canceled without prejudice or disclaimer.

Accordingly, Applicants request entry and consideration of the instant amendment and remarks, and an indication that the application and all pending claims are allowable in the next official communication.

Objection to the Drawings is Moot

By the present amendment, Applicants submit that the objection to the drawings under 37 CFR 1.83(a) is moot. That is, Applicants submit that the recited feature of claims 9 – 11 and 15 – 18 are illustrated in the drawing in accordance with patent office rules.

Accordingly, Applicants request that the Examiner reconsider and withdraw this objection, and indicate that the drawings are acceptable.

Formal Rejections Under 35 U.S.C. § 112, Second Paragraph, are Moot

Applicants submit that, by the present amendment, the rejection of claims 1, 4 – 6, and 12 – 14 under 35 U.S.C. § 112, second paragraph, is moot.

While Applicants do not acquiesce that claims 1, 4 – 6 and 12 – 14 are indefinite, in an effort to advance prosecution, Applicants have canceled these claims without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of these canceled claims in one or more continuation applications.

Accordingly, Applicants request that the Examiner acknowledge the above-noted formal rejection is moot.

Rejections Under 35 U.S.C. § 103 are Moot

Applicants submit that, by the present amendment, the rejection of claims 7 and 8 under 35 U.S.C. § 103(a), is moot.

While Applicants do not acquiesce that any proper combination of the applied documents of record renders unpatentable the combination of features recited in claims 7 and 8, in an effort to advance prosecution, Applicants have canceled these claims without prejudice or disclaimer. However, Applicants have expressly reserved the right to refile the subject matter of these canceled claims in one or more continuation applications.

Accordingly, Applicants request that the Examiner indicate that rejection of claims 7 and 8 is now moot, and that the all pending claims are allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number

listed below, if needed.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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January 18, 2006
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